IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

WP(C).No. 23634 of 2006(L)

PETITIONER:

K.SREEJITH, S/O.LATE SEKHARANKUTTY,
JYOTHISREE, KERALASSERY P.O. PALAKKAD.

BY ADV. SRI.P.RAVINDRAN

RESPONDENTS:
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1. THE SUB DIVISIONAL MAGISTRATE,
REVENUE DIVISIONAL OFFICER, PALAKKAD.

2. THE GENERAL MANAGER, BSNL,
SANCHAR BHAVAN, T.B.ROAD, PALAKKAD.

3. KERALASSERY GRAMA PANCHAYATH,
REP. BY ITS SECRETARY, KERALASSERY P.O. PALAKKAD.

*** ADDL.R4. JAYAGOPALAN Y.N,**
S/O.NARAYANAN,
YAKKIKAVIL HOUSE,
KERALASSERY 678 641
PALAKKAD.

(*) ADDITIONAL R4 IS IMPLEADED VIDE ORDER DATED 17.10.2006 ON I.A.14059/06

BY ADV. SRI.C.S.RAMANATHAN, SC, BSNL
SENIOR GOVERNMENT PLEADER SRI.MATHEW G. VADAKKEL
SRI.RAJESH SIVARAMANKUTTY
SRI.C.B.RAJEESH BABU
SRI.K.V.GOPINATHAN NAIR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE,J.

W.P.(C) NO. 23634 OF 2006

Dated this the 27th day of November, 2006

J U D G M E N T

Sri.C.S.Ramanathan, standing counsel for the BSNL invited my attention to paragraph 3 of the additional statement dated 30.10.2006, which I quote as follows:

> "The 2nd respondent after considering the representation of the petitioner shifted the proposed erection of the tower towards the south western boundary of the exchange and distance between the proposed tower and the petitioners residential building will be more than 14 meters. The rough sketch of the site is produced for reference and marked as Annx A1."

The above paragraph is recorded and the writ petition will stand disposed of directing the 2nd respondent to implement its decision to shift the proposed erection of the tower towards the south western boundary of the exchange so that the distance between the proposed tower and the petitioners residential building will be kept at a minimum of 14 meters.

Writ petition is disposed of accordingly. No costs.

PIUS C.KURIAKOSE, JUDGE

Rp